



W.P.(MD)No.8665 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.8665 of 2025

and

W.M.P.(MD)No.6478 of 2025

Vadakku Kaliamman Kovil,
Vedhamputhu,
Rep. by its administrator
T.Kanakaraj

: Petitioner

Vs.

1.The District Revenue Officer,
Tenkasi,
Tenkasi District.

2.The Zonal Deputy Tahsildar,
Tenkasi Taluk,
Tenkasi District.

3.Saravanan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned online rejection order passed by the 2nd respondent vide proceedings no nil dated



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23.12.2024 in the petitioners application No.2024/0103/34/427475

and quash the same as illegal and consequently, direct the 2nd respondent to conduct the sub division in respect of the petitioners property to an extent of 6 $\frac{3}{4}$ cents situated in Sy.no.420/20 of Vendampudhur Village.

For Petitioner : Mr.A.Balakrishnan

For Respondents 1&2 : Mr.M.Lingadurai

Special Government Pleader

ORDER

The petitioner has challenged the online rejection of the petitioner's application dated 23.12.2024, by a non-speaking order, assigning no reasons.

2.Heard the learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents 1 & 2.

3.It is the specific case of the petitioner that despite the petitioner making an application, the second respondent has rejected the same by way of a non-speaking order, without assigning any reasons.

4.However, learned Special Government Pleader on written instructions submits that even as early as on 20.03.2025, a detailed



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order has been passed, rejecting the petitioner's application, after affording an opportunity to the parties interested. He would also state that copy of the said order has been marked to the writ petitioner as well.

5.Learned Counsel for the petitioner would however, submit that no copy was received by the petitioner and only on such circumstances, the online rejection order dated 23.12.2024, has been challenged in the present Writ Petition.

6.In fact, I find that the rejection in the online mode is dated 23.12.2024. However, much later on 19.03.2025, proceedings have been taken up and a reasoned order appear to have been passed on 20.03.2025. The second respondent cannot arrive at a decision and then substantiate the decision by giving reasons later. In fact, it has to be the other way. The second respondent ought to have conducted enquiry and passed a detailed and considered order, giving reasons for the final decision. However, in the present case, the second respondent has first taken a decision and thereafter, about month later, he has assigned reasons. Such an exercise is clearly unsustainable in the eye of law.

7.Therefore, I am inclined to set aside and remit the matter to the second respondent, for taking up the application of the petitioner



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for patta and passing final orders, after affording an opportunity to the petitioner as well as other interested parties and thereafter, pass final orders in accordance with law and on merits, within a period of eight [8] weeks from the date of receipt of a copy of this order.

8.Accordingly, this Writ Petition is allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

02.04.2025

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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P.B.BALAJI., J.

MR

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